IN THE HIGH COURT OF UTTARENCHAL AT NAINITAL.

Writ Petition No. 875 (S/S) of 2005

Harish Lal Verma,
Aged about 53 years,
Son of Sri Ganga Lal Verma,
Resident of Nagar Palika,
Rudrapur,
District- Udham Singh Nagar. ……Petitioner.

V e r s u s

1. State of Uttaranchal, through Secretary, Urban Development, Civil Secretariat, Dehradun.
2. Nagar Palika Parishad, Rudrapur, District –Udham Singh Nagar through its Chairman.
3. Raj Kumar Thukral, son of not known to the petitioner, presently holding the office of Chairman Nagar Palika Parishad, Rudrapur.
4. Illiyas Ahmad, son of not known to the petitioner, through Secretary, Urban Development Department, Civil Secretariat, Dehradun.

……...Respondents.

Hon'ble M.M. Ghildiyal, J.:

Heard Sri Paresh Tripathi, learned counsel for the petitioner and learned standing counsel, who has accepted notices on behalf of respondents.

Learned counsel for both the parties are agree to decide the writ petition at its admission stage itself.

By means of this writ petition, the petitioners has challenged the transfer order dated 01.07.2005 passed by respondent no. 1 by which the petitioner, who is working as Executive Officer, Nagar Palika, Rudrapur, it attached to the Director, Urban Development, Dehradun.

On 05.07.2005, this court passed order to the effect that petitioner shall not be relieved in pursuance to the order dated 01.07.2005 passed by respondent no. 1 unless he has already been relieved.

Learned counsel for the petitioner has submitted that petitioner has already been relieved prior to passing of the interim order dated 05.07.2005. Consequently, petitioner has joined his duties at Urban Development Directorate.

The petitioner has moved another interim relief application before this court and on 15.07.2005 interim order was passed by this court on the application that interim relief application is disposed finally subject to the condition that in case, if the petitioner joins the place of his present posting then that will be subject to the decision of this writ petition.

It is not disputed that petitioner has joined his duties at Urban Development Directorate 20.07.2005, however, by order dated 27.07.2005 passed by respondent no. 1 the petitioner has been transferred from Urban Development Directorate to Nagar Panchayat, Rudraprayag. Order dated 27.07.2005 passed by respondent no. 1 has been challenged by the petitioner by way of filing another writ petition no. 1286 (SS) of 2005.

In view of the above facts, the present writ petition has become infructuous.

Writ petition is dismissed as infructuous.

(M.M. Ghildiyal, J.)

September 07, 2005
SKSharma